

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 SS-15 L-03 CA-01 /030 W
-----056382 200817Z /10

R 181548Z AUG 78
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC 125

C O N F I D E N T I A L LAGOS 10276

FOR AF/W AMBASSADOR EASUM

E.O. 11652: GDS
TAGS: CASC SHUM NI
SUBJECT: RESIDENCE PERMIT FOR RAY BAKER

REF: (A) LAGOS 9828; (B) STATE 203584; (C) STATE 208104

1. AFTER TWO DAYS OF UNSUCCESSFUL EFFORTS CHARGE REACHED FABUNMI THIS MORNING AND INQUIRED RE STATUS OF BAKER CASE. FABUNMI SAID THAT HE HAD RECENTLY REMINDED THE CABINET OFFICE IN WRITING OF THE NEED TO EXPEDITE A DECISION BUT THAT HE WOULD PHONE THAT OFFICE TODAY AS WELL.

2. IN ACCORDANCE WITH INSTRUCTIONS (REFTEL B), CHARGE THEN STATED THAT THE DEPARTMENT COULD NOT AGREE WITH THE CONTENTION OF SOME FMG OFFICIALS THAT USG PRESSURE ON BEHALF OF BAKER HAS BEEN EXCESSIVE. THE DEPARTMENT FOUND IT QUITE EXTRAORDINARY, IN FACT, THAT THE FMG HAD STILL NOT PROVIDED AN ANSWER ON THE ISSUE 10 MONTHS AFTER IT HAD BEEN DISCUSSED BY THE TWO HEADS OF STATE. CHARGE ALSO INFORMED FABUNMI THAT AMBASSADOR EASUM HAD DISCUSSED THE ISSUE IN SIMILAR TERMS ON AUGUST 14 WITH AMBASSADOR JOLOASO (REFTEL C).

3. FABUNMI RESPONDED WITH SOMETHING OF A TIRADE. HE WAS THE ONLY ONE WHO HAD REALLY TRIED TO HELP US AND THE MATTER HAD NOT BEEN BROUGHT TO HIS ATTENTION UNTIL LAST APRIL. CONSIDERABLE
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PROGRESS HAD BEEN MADE SINCE THEN BUT BAKER HAD DECEIVED EVERY-BODY BY CLAIMING THAT HE HAD TO VISIT NIGERIA IN JULY AND HAD THEN FAILED TO DO SO WHEN GIVEN THE OPPORTUNITY. MOREOVER BAKER SHOULD BE FULLY AWARE THAT RESIDENCE PERMITS ARE ONLY GRANTED IN NIGERIA WHEN THE FOREIGNER IS ALREADY IN NIGERIA AND THEN APPLIES FOR SUCH A PERMIT.

4. AFTER POINTING OUT THAT BAKER WAS SEEKING RESTORATION OF A PREVIOUSLY GRANTED RESIDENCE PERMIT, CHARGE CONCLUDED THE CONVERSATION BY EXPRESSING THE HOPE THAT FABUNMI WOULD SOON HAVE GOOD NEWS TO REPORT.

5. COMMENT: THIS IS THE FIRST TIME IN DISCUSSIONS OF THE BAKER CASE THAT FABUNMI HAS EVER BROUGHT UP THE NEED FOR A FOREIGNER TO BE IN NIGERIA IN ORDER TO OBTAIN A RESIDENCE PERMIT. THAT IS INDEED THE CUSTOMARY PRACTICE AND THE INTRODUCTION OF THAT ARGUMENT AT THIS POINT IS DISTURBING. FURTHERMORE FABUNMI'S ATTITUDE WAS NOTICEABLY SHARPER AND MORE CRITICAL THAN IN PREVIOUS DISCUSSIONS. I DOUBT WHETHER HE STILL HAS A CONSIDERABLE PERSONAL INTEREST IN A FAVORABLE OUTCOME. THE IMPRESSION I REPORTED IN REFTEL A THAT THE PROSPECTS FOR A FAVORABLE OUTCOME IN BAKER'S CASE HAD RECENTLY DETERIORATED WAS REINFORCED BY TODAY'S CONVERSATION.

6. SINCE PROSPECTS FOR RESOLVING THE CASE THROUGH FABUNMI NOW APPEAR LESS PROMISING, I BELIEVE WE SHOULD MAKE A CONCERTED EFFORT TO MOVE THE ISSUE TO A HIGHER LEVEL, SPELLING OUT THE WHOLE STORY FROM A TO Z BOTH ORALLY AND IN WRITING. FOUR ALTERNATIVES SHOULD PROBABLY BE CONSIDERED:

(A) I COULD SEE PERMSEC UKEGBU AS SOON AS POSSIBLE. HOWEVER, WE HAVE ALREADY HAD INDICATIONS THAT UKEGBU'S OFFICE (WHICH PROBABLY MEANS HE HIMSELF) IS UNSYMPATHETIC REGARDING THIS CASE (REFTEL A), AND THE IMPRESSION I HAVE FORMED IN PREVIOUS CONFIDENTIAL

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CONTACTS IS THAT HE IS NOT LIKELY TO BE HELPFUL ON AN ISSUE LIKE THIS⁸

(B) I COULD TRY TO SEE THE NEW COMMISSIONER FOR EXTERNAL AFFAIRS AS SOON AS HE RETURNS FROM THE WORLD CONFERENCE ON RACISM IN GENEVA. THAT CONFERENCE IS SCHEDULED TO CONCLUDE ON FRIDAY, AUGUST 25, HOWEVER, AND I AM SCHEDULED TO DEPART LAGOS ON LEAVE THE EVENING OF AUGUST 28. I CAN ENDEAVOR TO OBTAIN AN APPOINTMENT WITH ADEFOPE ON AUGUST 28 BUT AM NOT SURE THAT HE WILL SEE ME THAT SOON AFTER HIS RETURN, ALL THE MORE SO IF HIS ASSISTANT INSISTS ON KNOWING WHAT THE SUBJECT OF THE MEETING WILL BE.

(C) AMBASSADOR EASUM COULD TAKE THE SUBJECT UP WITH ADEFOPE SHORTLY AFTER HIS RETURN TO LAGOS.

(D) THE SECRETARY COULD DISCUSS THE MATTER WITH ADEFOPE IN NEW YORK (REFTEL C).

7. EVEN THOUGH IT MAY WELL BE DESIRABLE TO RESORT TO BOTH ALTERNATIVES C & D EVENTUALLY, I THINK IT WOULD BE USEFUL IF I COULD GO OVER THE SUBJECT WITH ADEFOPE ON AUGUST 28 SO THAT HE IS FULLY FAMILIAR WITH IT.

8. FABUNMI IS PLAYING A MAJOR ROLE IN US-NIGERIAN RELATIONS THESE DAYS. HE IS THE MEA OFFICIAL WHO HAS RESPONSIBILITY FOR

COORDINATING THE VISITS OF ALL NIGERIANS TO THE US UNDER OUR
EXCHANGE PROGRAM. MOREOVER HE APPEARED TO BE THE KEY OFFICIAL
INVOLVED TODAY IN THE MINISTRY'S CLEARANCE OF THE FMG'S PAYMENTS
TO US UNDER THE MID-LEVEL TECHNICAL MANPOWER TRAINING PROGRAM.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BUSINESSMEN, TRADE ASSISTANCE
Control Number: n/a
Copy: SINGLE
Draft Date: 18 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978LAGOS10276
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780340-0942
Format: TEL
From: LAGOS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780850/aaaaboxm.tel
Line Count: 121
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8cf76f61-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 LAGOS 9828, 78 STATE 203584, 78 STATE 208104
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1699518
Secure: OPEN
Status: NATIVE
Subject: RESIDENCE PERMIT FOR RAY BAKER
TAGS: CASC, SHUM, NI, (BAKER, RAY)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/8cf76f61-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014